

DEC 21 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: Fairgrieve et al.
Appln. No.: 10/612,579
Confirm. No.: 4256
Filed: July 2, 2003
Title: SYSTEMS AND METHODS FOR
AUTOMATIC POWER CONTROL OF LASER
DIODES

PATENT APPLICATION

Art Unit: 2828
Examiner: Rodriguez, Armando
Atty. Docket No.: ELAN-01106US1

Customer No. 23910

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8
I hereby certify that this correspondence is being transmitted by facsimile to the
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Mathew Otis _____ (Signature)
Signature Date: 12/21/05

ELECTION AND PRELIMINARY AMENDMENT

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This Election and Preliminary Amendment, which is filed in response to the
Restriction issued in the Office Action mailed December 8, 2005, is being refilled in
response to the Notice of Non-Compliant Amendment mailed December 19, 2005. The
status identifier for claims 16 and 17 are changed from "Amended" to "Currently
Amended" to overcome the non-compliance.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 7 of this paper.

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